

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS****DO NOT WRITE IN THIS SPACE**

Case <b>19-CB-292252</b>	Date Filed <b>3/14/2022</b>
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**INSTRUCTIONS:** File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name Pacific Northwest Regional Council of Carpenters	b. Union Representative to contact Daniel M. Shanley	
c. Address ( <i>Street, city, state, and ZIP code</i> ) 533 S. Fremont Ave., 9th Floor Los Angeles, California 90071	d. Tel. No. 213-488-4100	e. Cell No. 702-232-1555
	f. Fax No. 213-488-4180	
	g. e-mail dshanley@shanleyapc.com	

h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) 8(b)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (*set forth a clear and concise statement of the facts constituting the alleged unfair labor practices*)  
During negotiations for an initial labor contract, including during the past six months the Union has bargained in bad faith, including:

1. reneging on tentative agreements;
2. unilaterally changing the agreed method of bargaining;
3. refusing to sign Project Labor Agreements in accordance with historical practice during negotiations;
4. purporting to assess unfounded withdrawal liability without authorization and conditioning resolution on a labor agreement; and
5. failing to fully respond to requests for information and/or proposals.

3. Name of Employer Dawson Construction LLC	4a. Tel. No. 206.386.7615	b. Cell No. 206.588.9137	c. Fax No.
	d. e-mail christopher.wall@stoel.com		

5. Location of plant involved ( <i>street, city, state and ZIP code</i> ) 405 32nd St, Bellingham, WA 98225	6. Employer representative to contact Christopher Wall
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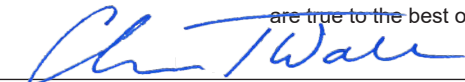
7. Type of establishment ( <i>factory, mine, wholesaler, etc.</i> ) construction	8. Identify principal product or service construction	9. Number of workers employed about 55
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10. Full name of party filing charge Dawson Construction LLC
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11. Address of party filing charge ( <i>street, city, state and ZIP code</i> ) 405 32nd St, Bellingham, WA 98225	11a. Tel. No. 206.386.7615	b. Cell No. 206.588.9137	c. Fax No.
	d. e-mail christopher.wall@stoel.com		

**12. DECLARATION**

I declare that I have read the above charge and that the statements  
are true to the best of my knowledge and belief.

  
(signature of representative or person making charge)

Christopher T. Wall, Stoel Rives LLP

(Print/type name and title or office, if any)

Tel. No.  
206.386.7615Cell No.  
206.588.9137

Fax No.

e-mail  
christopher.wall@stoel.com

Address 600 University St., Seattle WA 98101

Date 3/14/2022

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
US Court House, Spring Street  
312 N Spring Street, 10th Floor  
Los Angeles, CA 90012

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778



Download  
NLRB  
Mobile App

March 15, 2022

Daniel M. Shanley, Attorney  
DeCarlo & Shanley  
533 S Fremont Ave Fl 9  
Los Angeles, CA 90071-1717

Re: Pacific Northwest Regional Council of  
Carpenters (Dawson Construction, LLC)  
Case 19-CB-292252

Dear Mr. Shanley:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** The case was filed in Region 19 but is being handled by Region 21 as part of the Agency's intra-Regional transfer program. This charge will be investigated by Board Agent Molly Kagel whose telephone number is (213)634-6511. If this Board agent is not available, you may contact Deputy Regional Attorney Neil Warheit whose telephone number is (213)634-6525.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case MUST be filed through the Agency's website, [www.nlrb.gov](http://www.nlrb.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. B. Cowen', with a long horizontal flourish extending to the right.

WILLIAM B. COWEN  
Regional Director

Enclosure: Copy of Charge

cc: Pacific Northwest Regional Council of Carpenters  
25120 Pacific Hwy S, Ste 200  
Kent, WA 98032-5436

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**PACIFIC NORTHWEST REGIONAL COUNCIL  
OF CARPENTERS (DAWSON  
CONSTRUCTION, LLC)**

Charged Party

and

**DAWSON CONSTRUCTION, LLC**

Charging Party

**Case 19-CB-292252**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST LABOR ORGANIZATION**

I, the undersigned employee of the National Labor Relations Board, state under oath that on , I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Daniel M. Shanley, Attorney  
DeCarlo & Shanley  
533 S Fremont Ave Fl 9  
Los Angeles, CA 90071-1717

Pacific Northwest Regional Council of  
Carpenters  
25120 Pacific Hwy S  
Ste 200  
Kent, WA 98032-5436

\_\_\_\_\_  
Date

Enter NAME, Designated Agent of NLRB  
\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
US Court House, Spring Street  
312 N Spring Street, 10th Floor  
Los Angeles, CA 90012

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778



Download  
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Mobile App

March 15, 2022

Christopher T. Wall, Attorney  
Stoel Rives, LLP  
600 University Street  
Seattle, WA 98101

Re: Pacific Northwest Regional Council of  
Carpenters (Dawson Construction, LLC)  
Case 19-CB-292252

Dear Mr. Wall:

The charge that you filed in this case on March 14, 2022 has been docketed as case number 19-CB-292252. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** The case was filed in Region 19 but is being handled by Region 21 as part of the Agency's intra-Regional transfer program. This charge will be investigated by Board Agent Molly Kagel whose telephone number is (213)634-6511. If this Board agent is not available, you may contact Deputy Regional Attorney Neil Warheit whose telephone number is (213)634-6525.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you

recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case MUST be filed through the Agency's website, [www.nlrb.gov](http://www.nlrb.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlrb.gov](http://www.nlrb.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W.B. Cowen', with a long horizontal flourish extending to the right.

WILLIAM B. COWEN  
Regional Director

Enclosure: Commerce Questionnaire

cc: Jeremy Carroll, VP Operations WA  
Dawson Construction, LLC  
405 32nd Street, Suite 110  
Bellingham, WA 98225



## QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 19-CB-292252
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## 1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

## 2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )

## 3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES
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## 4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

## 5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

## 6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

7A. PRINCIPAL LOCATION:	7B. BRANCH LOCATIONS:
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## 8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:	B. AT THE ADDRESS INVOLVED IN THIS MATTER:
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9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES \_\_\_\_\_)

	YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$ _____		
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ _____		
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ _____		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ _____		
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ _____		
H. Gross Revenues from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you begin operations within the last 12 months? If yes, specify date: _____		

## 10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

## 11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
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## 12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
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## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
US Court House, Spring Street  
312 N Spring Street, 10th Floor  
Los Angeles, CA 90012

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

August 1, 2022

Daniel M. Shanley, Attorney at Law  
Email: [dshanley@shanleyapc.com](mailto:dshanley@shanleyapc.com)

Re: Pacific Northwest Regional Council of  
Carpenters (Dawson Construction, LLC)  
Case 19-CB-292252

Dear Mr. Shanley:

This is to advise that I have approved the withdrawal of the portion of the charge alleging the refusal to sign Project Labor Agreements in accordance with historical practice during negotiations.

The remaining allegations that the Employer violated Section 8(b)(3) of the Act by reneging on tentative agreements, unilaterally changing the agreed method of bargaining, purporting to assess unfounded withdrawal liability without authorization and conditioning resolution on a labor agreement, and failing to fully respond to requests for information and/or proposals remain subject to further processing.

Very truly yours,

William B. Cowen  
Regional Director

cc: Pacific Northwest Regional Council of  
Carpenters, affiliated with the United  
Brotherhood of Carpenters and Joiners of  
America  
25120 Pacific Hwy S Ste 200  
Kent, WA 98032-5436

Jeremy Carroll, VP Operations WA  
Email: [jcarroll@dawson.com](mailto:jcarroll@dawson.com)

Christopher T. Wall, Attorney at Law  
Email: [christopher.wall@stoel.com](mailto:christopher.wall@stoel.com)

WBC/js



UNITED STATES GOVERNMENT  
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Los Angeles, CA 90012

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

August 5, 2022

Jeremy Carroll, VP Operations WA  
Email: [jcarroll@dawson.com](mailto:jcarroll@dawson.com)

Re: Pacific Northwest Regional Council of  
Carpenters (Dawson Construction, LLC)  
Case 19-CB-292252

Dear Mr. Carroll:

We have carefully investigated and considered your charge that Pacific Northwest Regional Council of Carpenters, affiliated with the United Brotherhood of Carpenters and Joiners of America has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges that the Union violated Section 8(b)(3) of the Act when it: reneged on tentative agreements; unilaterally changed the agreed method of bargaining; purported to assess unfounded withdrawal liability without authorization and conditioned resolution on a labor agreement; and failed to fully respond to requests for information and/or proposals.

The investigation failed to establish that the parties entered into a tentative agreement to address “pinch points,” each party’s most pressing issues, before addressing other topics during bargaining for a contract nor was there any evidence that the Union refused to discuss the parties’ “pinch points.” Thus the Union’s desire that the parties meet in person to resume negotiations did not constitute reneging on tentative agreements or a unilateral change of the agreed method of bargaining.

The investigation further failed to show that the Union purported to assess unfounded withdrawal liability without authorization and conditioned resolution on a labor agreement. Instead, the evidence revealed that the liability process is enacted by a separate entity, specifically the Carpenters Retirement Trust of Western Washington, and no evidence was presented to connect the Union to the allegedly unauthorized initiation of this liability action. Furthermore, the allegation that the Union proposed resolving the liability action on the condition that the parties enter into a labor agreement is barred by Section 10(b) of the Act as the Union proffered this proposal on July 29, 2021, more than six months before the filing of the charge on March 14, 2022.

Finally, the evidence does not support the allegation that the Union failed to fully respond to requests for information and/or proposals. Regarding the requests for information made on July 29, 2021, the Union produced two sets of responsive information on June 15 and June 17, 2022, which appear to provide the information requested on July 29, 2021. There was insufficient evidence that the Employer communicated to the Union that any of the information

was missing after receiving the information from the Union. Moreover, the evidence does not show that the Union has failed to respond to any proposals, and bargaining is ongoing.

**Charging Party's Right to Appeal:** The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

**Means of Filing:** You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible. Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at [www.nlr.gov](http://www.nlr.gov). See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at [www.nlr.gov](http://www.nlr.gov). If you require additional assistance with E-Filing, please contact [E-Filing@nlrb.gov](mailto:E-Filing@nlrb.gov).

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

**Appeal Due Date:** The appeal is due on **August 19, 2022**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than August 18, 2022. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before August 19, 2022**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after August 19, 2022, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,



William B. Cowen  
Regional Director

Enclosure

cc: Daniel M. Shanley, Attorney at Law  
Email: dshanley@shanleyapc.com

Pacific Northwest Regional Council of  
Carpenters, affiliated with the United  
Brotherhood of Carpenters and Joiners of  
America  
25120 Pacific Hwy S Ste 200  
Kent, WA 98032-5436

Christopher T. Wall, Attorney at Law  
Email: christopher.wall@stoel.com

WBC/js

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

---

Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

## E-FILING TO APPEALS

1. **Extension of Time:** This document is used when the Charging Party is asking for more time to efile an Appeal.
  - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
  - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
2. **File an Appeal:** If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
  - Only **one (1) Appeal** can be e-filed to **each** determination in the Region's decision letter that is received.
  - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
3. **Notice of Appearance:** Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
  - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
  - This document can be e-filed **before** an Appeal is e-filed.
4. **Correspondence:** Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
  - Correspondence is used to e-file documents **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
5. **Position Statement:** The Charging Party or Charged Party may e-file a Position Statement.
  - The Charging Party will e-file this document as a supplement of the Appeal.
  - The Charged Party will specifically file one to support the Region's decision.
  - This document should be e-filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
6. **Withdrawal Request:** If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
  - This document should be e-Filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.



7. The selections of **Evidence** or **Other** should no longer be used.



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

August 26, 2022

CHRISTOPHER T. WALL, ESQ.  
STOEL RIVES, LLP  
600 UNIVERSITY ST STE 3600  
SEATTLE, WA 98101-1176

Re: Pacific Northwest Regional Council of  
Carpenters (Dawson Construction, LLC)  
Case 19-CB-292252

Dear Mr. Wall:

We have received your timely appeal from the Region's decision in the above-captioned case. We will assign your appeal for processing in accordance with Agency procedures. Please be assured that our review of this matter will include a full analysis of the underlying investigatory file, your appeal, as well as current Board law and processes.

We will notify you and all involved parties of our decision by letter via email as permitted under Section 102.4(c) of the Board's *Rules and Regulations*. If an email address is not available for you, we will provide the decision by mail.

Sincerely,

Jennifer A. Abruzzo  
General Counsel

A handwritten signature in black ink that reads "Mark E. Arbesfeld". The signature is written in a cursive, flowing style.

By: \_\_\_\_\_

Mark E. Arbesfeld, Director  
Office of Appeals



cc: WILLIAM B. COWEN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
US COURT HOUSE SPRING ST  
312 N SPRING ST 10TH FL  
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vrn